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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 JOSE RUBIO-DELGADO, individually,
13 on behalf of other similarly situated
14 individuals, and on behalf of the general
public,

15 Plaintiff,

16 v.

17 AEROTEK, INC.,

18 Defendant.
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Case No. 13-CV-3105-SC

**JOINT STATUS REPORT AND
STIPULATION REGARDING DISCOVERY**

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Plaintiff
JOSE RUBIO-DELGADO

1 Plaintiff JOSE RUBIO-DELGADO and Defendant AEROTEK, INC. (collectively, the
2 “Parties”), by and through their respective attorneys of record, hereby submit the following status
3 report and pre-mediation discovery plan.

4 1. WHEREAS, the Parties attended mediation in this case on June 18, 2014, but did not
5 reach a settlement.

6 2. WHEREAS, the Parties have agreed to continue settlement discussions and have
7 scheduled a mediation for September 16, 2014.

8 3. WHEREAS, pursuant to this Court’s Order of July 25, 2014, the Parties are to submit
9 a Joint Status Report and Discovery Plan today.

10 4. WHEREAS, the Parties have held additional “meet and confer” discussions, resulting
11 in an agreement to engage in certain formal discovery prior to their September 16 mediation that
12 both sides believe will enhance the likelihood of a settlement being reached, without expending
13 resources on discovery that can be deferred until after the mediation.

14 5. WHEREAS, the Parties have agreed that, prior to the September 16 mediation,
15 Plaintiff will respond to certain document requests and Defendant will respond to certain requests for
16 admission, interrogatories, and document requests.

17 6. WHEREAS, the Parties have agreed that the responses to the agreed upon discovery
18 referenced in Paragraph 5 above shall be due on August 15, 2014, and that responses to all other
19 written discovery that has been served in this case shall not be due until 30 days following the
20 September 16 mediation, absent further agreement or court order. All objections and rights with
21 regard to such discovery are preserved.

22 7. WHEREAS, the Parties have agreed that, within seven (7) days of the September 16
23 mediation, they will provide the Court with either notice that they have settled or an updated Joint
24 Status Report and Discovery Plan for the remainder of the case.

25 WHEREFORE, the Parties jointly request that the instant Stipulation be granted, that
26 discovery continue as outlined above, and that the Court set September 23, 2014 as the deadline for

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1 the parties to either inform the Court that they have settled or file an updated Joint Status Report and
2 Discovery Plan for the remainder of the case.

3 **IT IS SO STIPULATED:**

4 Dated: August 1, 2014

6 /s/ E. Michelle Drake
7 E. Michelle Drake
8 ANNA P. PRAKASH
9 NICHOLS KASTER, PLLP
Attorneys for Plaintiff
JOSE RUBIO-DELGADO

10 Dated: August 1, 2014

12 /s/ Rod M. Fliegel
13 ROD M. FLIEGEL
14 ALISON S. HIGHTOWER
15 ROXANNA IRAN
16 LITTLER MENDELSON, P.C.
Attorneys for Defendant
AEROTEK, INC.

17 **PROPOSED ORDER**

18 The Court grants the parties' Joint Status Report and Stipulation Regarding
19 Discovery, and orders that, on September 23, 2014, the Parties either file a notice informing the
20 Court that they have settled or file an updated Joint Status Report and Discovery Plan.

21 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

22 DATED: 08/04, 2014

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